REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **September 10, 2015** **TIME: 9:05 a.m.**

File Number: **B56/15**

Applicant: **Loretta Landry**

Subject Lands: TOWNSHIP OF PUSLINCH – Part Lot 10, Concession Gore

Proposal is a request for consent to convey fee simple for a proposed severance 120m fr x 120m = 1.44 hectares (3.6 acres) in the TOWNSHIP OF PUSLINCH – Part Lot 10, Concession Gore, existing agricultural and bush for proposed rural residential use; retained lands are 27.4 hectares (67.7 acres).

ISSUES: lot size, location and configuration

SUMMARY of FILED REPORTS and COMMENTS:

Township of Puslinch – in support of application; conditions to apply
Township Planning & Development Advisory Committee comments – parcel placement better situated to reduce impact to agricultural farmed lands; severance exceeds the 0.4 ha (1 acre) minimum lot size and a reason was not provided for the requested lot size.

County Planning - notice cards were posted at time of site visit; not satisfied that current configuration represents the most appropriate location for a new lot; a 1 to 2 acre rectangular-shaped lot could be accommodated in the southern corner of property outside of areas regulated by the Conservation Authority; no new lots have been created on parcel since March 1, 2005; alternate lot location preferred in southern corner would be outside of any areas regulated by Conservation;

Conservation Authority (GRCA) – no objection

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B56/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner receive approval from the Township of Puslinch in a manner deemed acceptable to that road authority for an entrance to the severed and retained parcel; and further that the Township of Puslinch file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
6) THAT the Owner satisfy all the requirements of the Township of Puslinch, financial and otherwise (included but not limited to Taxes paid in full) which the Township of Puslinch may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Puslinch file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B56/15

APPLICANT

Loretta Landry
3990 Sideroad 10 S
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF PUSLINCH
Part Lot 10
Concession Gore

Proposed severance is 120m fr x 120m = 1.44 hectares (Part 1 on sketch) existing agricultural and bush for proposed rural residential use.

Retained parcel is 27.4 hectares with 554m frontage (Part 2 on sketch) existing and proposed agricultural and bush.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

AT 9:05 a.m. for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office - 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Applicant – Loretta Landry** **Agent – Brian Beatty**

RECEIVED

AUG 19 2015

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B56/15

APPLICANT

Loretta Landry
3990 Sideroad 10 S
Puslinch ON N0B 2J0

LOCATION OF SUBJECT LANDS

TOWNSHIP OF PUSLINCH
Part Lot 10
Concession Gore

Proposed severance is 120m fr x 120m = 1.44 hectares (Part 1 on sketch) existing agricultural and bush for proposed rural residential use.

Retained parcel is 27.4 hectares with 554m frontage (Part 2 on sketch) existing and proposed agricultural and bush.

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JUL 14 2015
Township of Puslinch

2301.000.004-04600

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER

Does this description reasonably describe the parcel holdings? YES(✓) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES( ) NO( )

What Section(s) does it conform to or contravene? (Please specify) County to comment.

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [ ] NO [ ]

(Please Specify) Agricultural - Section 5.3(e) - meets minimums of Reduced Lot Requirements.

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) Agricultural - Section 5.3(a & b) - meet minimum lot area & frontage; Natural Environment Zone.

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(✓) or **Minor Variance** YES( ) NO( ) N/A(✓)

Is proposal on an opened maintained year-round public road YES(✓) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify N/A

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(✓)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(✓)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(✓)

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B56/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [✓] NO [ ]

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

PLANNING & DEVELOPMENT ADVISORY COMMITTEE COMMENTS:

- placement of parcel could be better situated to reduce the impact to the agricultural farmed lands.
- severence exceeds the 0.4ha (1acre) minimum lot size and a reason was not provided for the requested lot size.

Is the Municipality in support of this application? **YES(✓) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

1. Cash-in-lieu of Parkland, made payable to the Township of Puslinch is required prior to final consent approval
2. An Entrance Permit, confirming safe entrance, is required from the Township of Puslinch prior to final consent approval.
3. Confirmation of up-to-date paid taxes is required by the Township of Puslinch prior to final consent approval.

Does the Municipality request a Notice of the Decision? YES(✓) NO( )

SIGNATURE Kelly Patzer K. Patzer

TITLE: Development Coordinator

ADDRESS: 7404 Wellington Rd 34, Guelph, ON N1H 6H9

DATE: August 14, 2015

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

RECEIVED
JUL 27 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B56/15
Location	Part Lot 10, Concession Gore TOWNSHIP OF PUSLINCH
Applicant/Owner	Loretta Landry

PLANNING OPINION: This application would sever a 1.4 ha (3.6 ac) vacant rural residential lot in a Greenlands designation. A vacant 27.4 ha (67.7 ac) agricultural parcel would be retained.

We are not satisfied that the current configuration represents the most appropriate location for a new lot given the overall policies of the Plan. A 1 to 2 acre rectangular-shaped lot could be accommodated in the southern corner of the property outside of the areas regulated by the Conservation Authority.

If approved in its current location, we would recommend that the lot size be reduced to 1 to 2 acres. The Committee should also be satisfied that servicing can be accommodated to the satisfaction of the Township and that as a condition of approval safe driveway access can be provided to the satisfaction of the Township and that any concerns of the Conservation Authority can be addressed.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Under Section 2.1.8 development and site alteration shall not be permitted on adjacent lands to the natural heritage features...unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

With respect to Minimum Distance Separation 1 (MDS1), there are no livestock facilities within 500 m of the proposed lot identified on the Survey Sketch.

GREENBELT PLAN: Not within Greenbelt Plan area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated CORE GREENLANDS, GREENLANDS and SECONDARY AGRICULTURAL. The Greenlands System designations protect significant wetlands, significant woodlands, floodplain, Environmentally Sensitive Area (ESA) and Life Science Area of Natural and Scientific Interest (ANSI).

The new residential lot proposed could only be considered in the Greenlands System if:

a) the lot has sufficient area outside the Core Greenland System for all its intended functions including suitable buffering and includes core Greenland areas only to provide for logical boundaries;
b) the lot provides a minor boundary adjustment or correction of title and does not require any activity which would impair Greenland features or functions:
c) the lot is for conservation purposes which provide an overall benefit to the environment:
d) there will be no negative impacts on natural features or their ecological functions.

The only feature on the proposed severed lot is an ESA. The area of the proposed lot is cultivated open land. As a result we are satisfied that there will be no negative impacts on this feature. As a result, the Secondary Agricultural policies would be applicable.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

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County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

With respect to alternate lot locations, we would prefer a lot location in the southern corner, which would be outside of any areas regulated by the Conservation Authority. The lot size should also be reduced to 1 to 2 acres, as there has been no justification for the larger lot.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards" d) "that all lots will have safe driveway access to an all-season maintained public road, and g) "that natural heritage features are not affected negatively".

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Natural Environment (NE). Both lots would meet the applicable lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 23, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
July 27, 2015

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee
Deborah Turchet, Secretary-Treasurer

DATE: August 17, 2015 **YOUR FILE:** B56/15
GRCA FILE: B56-15 – Part Lot 10, Gore (Landry)

RECEIVED
AUG 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

RE: **Application for Consent B56/15**
Part Lot 10, Gore Concession, Township of Puslinch
Loretta Landry

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) has no objection to the severance of a 1.44 hectare lot for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the retained parcel contains portions of the Provincially Significant Mill Creek Puslinch Wetland Complex, Mill Creek, floodplain, and the allowances adjacent to these features.

   A portion of the severed parcel is within the allowance adjacent to the wetlands.

   The retained parcel contains significant woodlands that are identified as part of the Greenlands system in the County of Wellington Official Plan.

2. **Legislative/Policy Requirements and Implications:**

   The lands to be severed are set back from the natural hazard and natural heritage features located on the adjacent lands and we do not anticipate any negative impacts to these features as a result of the proposed severance.

   Due to the presence of the above-noted features, portions of the severed and retained parcels are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Any future development or other alteration within the regulated areas on the subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities ▪ The Grand – A Canadian Heritage River

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the minor consent plan review fee in the amount of $380.00 for the processing of this application.

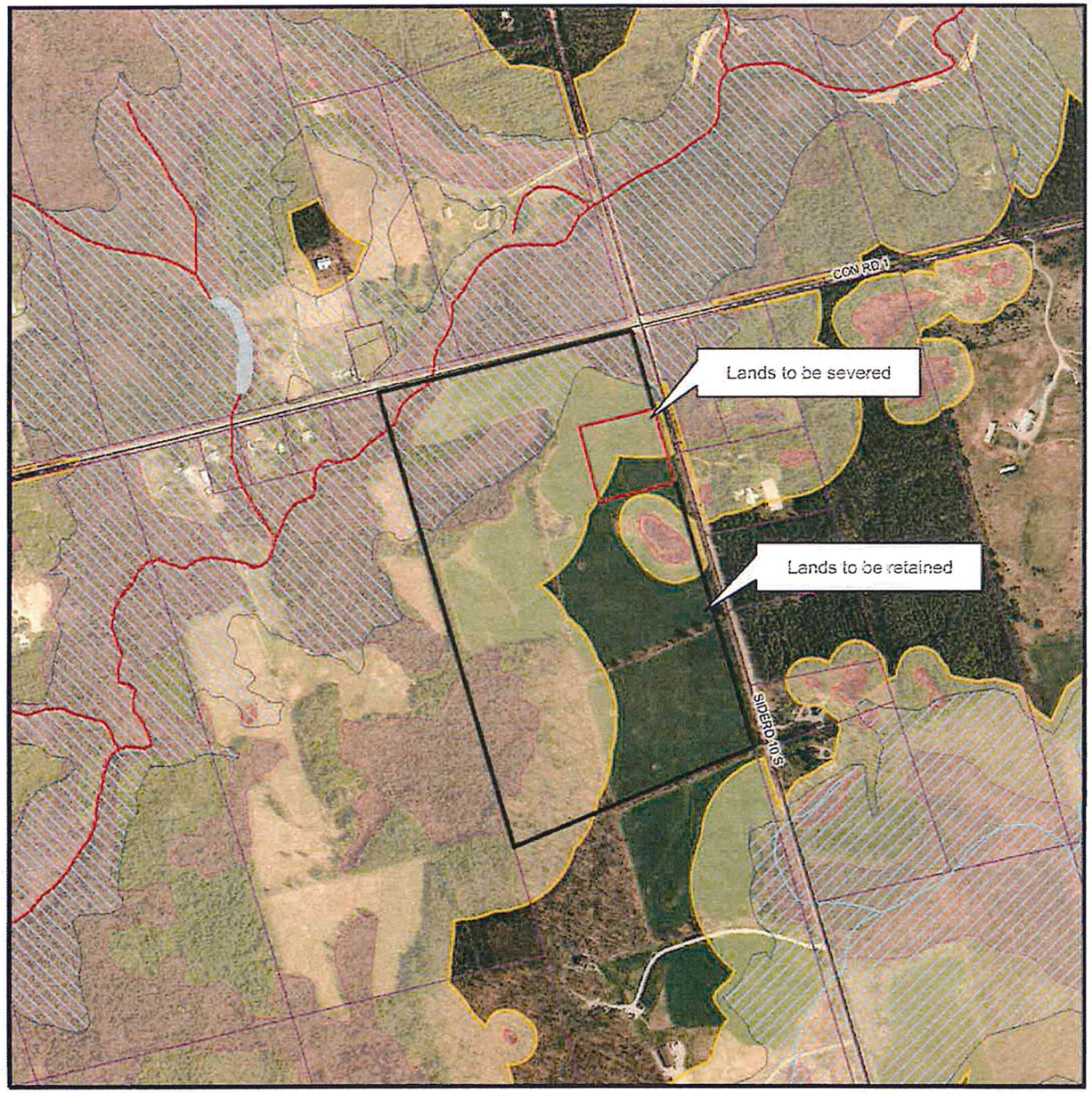
Should you have any further questions or require additional information, please contact me at 519-621-2763 ext. 2236.

Yours truly,

Andrew Herreman
Resource Planner
Grand River Conservation Authority

These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.

c.c. Township of Puslinch
Loretta Landry – 3990 Sideroad 10 South, Puslinch, ON N0B 2J0
Black Shoemaker Robinson & Donaldson c/o Brian Beatty – 351 Speedvale Avenue West, Guelph, ON N1H 1C6



Grand River Conservation Authority
Map created: August 17, 2015
Prepared by: zh

B56/15

LEGEND

WATERSHED BOUNDARY (GRCA)
UTILITY LINE (NRVIS)
ROADS-ADDRESSED (MNR)
RAILWAY (NRVIS)
CLASSIFIED STREAMS - NEW (NRVIS)
COLD WATER
COOL WATER
UNKNOWN
WARM WATER
DRAINAGE-NETWORK (GRCA)
PARCELS-ASSESSMENT (MPAC)
FLOODPLAIN-SPECIAL POLICY AREA (GRCA)
FLOODPLAIN (GRCA)
ENGINEERED
APPROXIMATE
ESTIMATED
WETLAND (GRCA)
SLOPE VALLEY (GRCA)
STEEP
OVERSTEEP
SLOPE EROSION (GRCA)
STEEP
OVERSTEEP
TOE
WETLAND (NRVIS)
PROVINCIALLY SIGNIFICANT
LOCALLY SIGNIFICANT
UNEVALUATED
PARKS (GRCA)
REGULATION LIMIT 2014 (GRCA)
DRAINAGE-POLY (NRVIS)
2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 100 200 300 400 m.

NAD 1983, UTM Zone 17 Scale 1:8,796

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THIS MAP IS NOT TO BE USED FOR NAVIGATION